

#854

(Official Form 1) (12/03)

<b>FORM B1</b>		<b>United States Bankruptcy Court</b>	<b>Voluntary Petition</b>
<b>WESTERN DISTRICT OF NEW YORK</b>			
Name of Debtor (if individual, enter Last, First, Middle): <b>O'Hara, Henry T.</b>		Name of Joint Debtor (Spouse) (Last, First, Middle):	
All Other Names used by the Debtor in the last 6 years (include married, maiden, and trade names):		All Other Names used by the Joint Debtor in the last 6 years (include married, maiden, and trade names): <b>0522678</b>	
Last four digits of Soc. Sec./Tax I.D. No. (if more than one, state all): <b>0350</b>		Last four digits of Soc. Sec./Tax I.D. No. (if more than one, state all):	
Street Address of Debtor (No. & Street, City, State & Zip Code): <b>41 South Ridge Trail Fairport, NY 14450</b>		Street Address of Joint Debtor (No. & Street, City, State & Zip Code):	
County of Residence or of the Principal Place of Business: <b>MONROE</b>		County of Residence or of the Principal Place of Business:	
Mailing Address of Debtor (if different from street address):		Mailing Address of Debtor (if different from street address):	
Location of Principal Assets of Business Debtor (if different from street address above):			

### Information Regarding the Debtor (Check Applicable Boxes)

#### Venue (Check any applicable box)

- ☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- ☐ There is a bankruptcy case concerning debtor's affiliate, general partner or partnership pending in this District.

#### Type of Debtor (Check all boxes that apply)

- ☒ Individual(s)      ☐ Railroad  
☐ Corporation      ☐ Stockbroker  
☐ Partnership      ☐ Commodity Broker  
☐ Other \_\_\_\_\_ ☐ Clearing Bank

#### Nature of Debts (Check one box)

- ☒ Consumer/Non-Business      ☐ Business

#### Chapter 11 Small Business (Check all boxes that apply)

- ☐ Debtor is a small business as defined in 11 U.S.C. § 101  
☐ Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e) (Optional)

#### Chapter or Section of Bankruptcy Code Under Which the Petition is Filed (Check one box)

- ☒ Chapter 7      ☐ Chapter 11      ☐ Chapter 13  
☐ Chapter 9      ☐ Chapter 12  
☐ Sec. 304 - Case ancillary to foreign proceeding

#### Filing Fee (Check one box)

- ☒ Full Filing Fee attached  
☐ Filing fee to be paid in installments (Applicable to individuals only)  
 Must attach signed application for the court's consideration certifying that the debtor is unable to pay the fee except in installments. Rule 1006(b). See Official Form No. 3.

#### Statistical/Administrative Information (Estimates only)

- ☐ Debtor estimates that funds will be available for distribution to unsecured creditors.
- ☒ Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to creditors.

#### Estimated Number of Creditors

1-15	16-49	50-99	100-199	200-999	1000-over
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### Estimated Assets

\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	More Than \$100 Million
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### Estimated Debts

\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	More Than \$100 Million
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

This Space For Court Use Only

FILED  
 05 MAY 27 PM 1:43  
 U.S. BANKRUPTCY COURT  
 W.D.N.Y.-ROCHESTER

<b>Voluntary Petition</b> <i>(This page must be completed and filed in every case)</i>		Name of Debtor(s): <u>O'Hara, Henry T.</u>	
<b>Prior Bankruptcy Case Filed Within Last 6 Years</b> (If more than one, attach additional sheet)			
Location Where Filed:		Case Number:	Date Filed:
<b>Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor</b> (If more than one, attach additional sheet)			
Name of Debtor:		Case Number:	Date Filed:
District:		Relationship:	Judge:

<b>Signatures</b>	
<p><b>Signature(s) of Debtor(s) (Individual/Joint)</b></p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct.</p> <p>[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.</p> <p>I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p><input checked="" type="checkbox"/> <u>Henry T. O'Hara</u>          Signature of Debtor</p> <p><input checked="" type="checkbox"/> _____          Signature of Joint Debtor</p> <p><u>(585) 425-7299</u>          Telephone Number (If not represented by attorney)</p> <p><u>May 27<sup>th</sup>, 2005</u>          Date</p> <p><b>Signature of Attorney</b></p> <p><input checked="" type="checkbox"/> _____          Signature of Attorney for Debtor(s)</p> <p>_____          Printed Name of Attorney for Debtor(s) Bar ID Number _____</p> <p>_____          Firm Name</p> <p>_____          Address</p> <p>_____          Telephone Number</p> <p>_____          Date</p> <p><b>Signature of Debtor (Corporation/Partnership)</b></p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.</p> <p>The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p><input checked="" type="checkbox"/> _____          Signature of Authorized Individual</p> <p>_____          Printed Name of Authorized Individual</p> <p>_____          Title of Authorized Individual</p> <p>_____          Date</p>	<p><b>Exhibit A</b></p> <p>(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11)</p> <p><input type="checkbox"/> Exhibit A is attached and made a part of this petition.</p> <p><b>Exhibit B</b></p> <p>(To be completed if debtor is an individual whose debts are primarily consumer debts)</p> <p>I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.</p> <p><input checked="" type="checkbox"/> _____          Signature of Attorney for Debtor(s)      Date _____</p> <p><b>Exhibit C</b></p> <p>Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?</p> <p><input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition.</p> <p><input checked="" type="checkbox"/> No</p> <p><b>Signature of Non-Attorney Petition Preparer</b></p> <p>I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.</p> <p>_____          Printed Name of Bankruptcy Petition Preparer</p> <p>_____          Social Security Number (Required by 11 U.S.C. § 110)</p> <p>_____          Address</p> <p>_____          Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document</p> <p>If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.</p> <p><input checked="" type="checkbox"/> _____          Signature of Bankruptcy Petition Preparer</p> <p>_____          Date</p> <p>A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.</p>

# UNITED STATES BANKRUPTCY COURT

## NOTICE TO INDIVIDUAL CONSUMER DEBTOR

The purpose of this notice is to acquaint you with the four chapters of the federal Bankruptcy Code under which you may file a bankruptcy petition. The bankruptcy law is complicated and not easily described. Therefore, you should seek the advice of an attorney to learn of your rights and responsibilities under the law should you decide to file a petition with the court. Court employees are prohibited from giving you legal advice.

### Chapter 7: Liquidation (\$155 filing fee plus \$39 administrative fee plus \$15 trustee surcharge)

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts.
2. Under chapter 7 a trustee takes possession of all your property. You may claim certain of your property as exempt under governing law. The trustee then liquidates the property and uses the proceeds to pay your creditors according to priorities of the Bankruptcy Code.
3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, your discharge may be denied by the court, and the purpose for which you filed the bankruptcy petition will be defeated.
4. Even if you receive a discharge, there are some debts that are not discharged under the law. Therefore, you may still be responsible for such debts as certain taxes and student loans, alimony and support payments, criminal restitution, and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs.
5. Under certain circumstances you may keep property that you have purchased subject to valid security interest. Your attorney can explain the options that are available to you.

### Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$155 filing fee plus \$39 administrative fee)

1. Chapter 13 is designed for individuals with regular income who are temporarily unable to pay their debts but would like to pay them in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
2. Under chapter 13 you must file a plan with the court to repay your creditors all or part of the money that you owe them, using your future earnings. Usually, the period allowed by the court to repay your debts is three years, but no more than five years. Your plan must be approved by the court before it can take effect.
3. Under chapter 13, unlike chapter 7, you may keep all your property, both exempt and non-exempt, as long as you continue to make payments under the plan.
4. After completion of payments under your plan, your debts are discharged except alimony and support payments, student loans, certain debts including criminal fines and restitution and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs, and long term secured obligations.

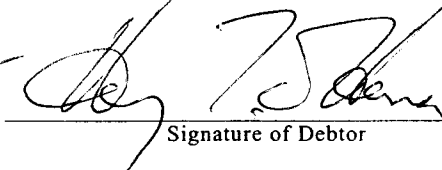
### Chapter 11: Reorganization (\$800 filing fee plus \$39 administrative fee)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

### Chapter 12: Family Farmer (\$200 filing fee plus \$39 administrative fee)

Chapter 12 designed to permit family farmers to repay their debts over a period of time from future earnings and is in many ways similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm.

I, the debtor, affirm that I have read this notice.

5/27/2005 

Date

Signature of Debtor

Case Number

WHITE - DEBTOR COPY

PINK - COURT COPY

O'Hara, Henry T.

## Mailing Matrix

ABN AMRO Mortgage Group  
2600 W. Big Beaver Road  
Troy, MI 48084

Allied Irish Bank ATB  
c/o Joel Cardis, LLC  
2838 DeKalb Pike  
East Norriton, PA 19401

American Express  
PO Box 7871  
Fort Lauderdale, FL 33329

Bank of America  
PO Box 7047  
Dover, DE 19903

Bank One Delaware NA  
201 North Walnut Street  
Wilmington, DE 19801-2920

Bank One  
Building 370  
340 South Cleveland Ave  
Westerville, OH 43081

Bass & Associates Ecast Settlement Corp  
Suite 200  
3936 E. Fort Lowell Road  
Tucson, AR 85712

Capital One Bank  
11013 W. Broad Street  
Glen Allen, VA 23060

CBUSA Sears  
8725 W. Sahara Ave MC  
The Lakes, NV 89163

Chase – Bank One  
Dept OH1-0552  
800 Brooksedge Blvd 3  
Westerville, OH 43081

O'Hara, Henry T.

Citibank USA NA  
Pencander Corp Center  
110 Lake Drive  
Newark, DE 19702-3317

First USA Bank  
2500 Westfield Road  
Elgin, IL 60123

Fleet CC  
300 Wakefield Drive  
Newark, DE 19702

Fleet CC  
200 Tournament Drive  
Horsham, PA 19044

GEMB/JCP  
PO Box 981402  
El Paso, TX 79998

Household Bank  
PO Box 98706  
LasVegas, NV 89193-8706

HSBC Bank  
PO Box 4604  
Buffalo, NY 14240-4604

HSBC Gold  
1441 Schilling Pl  
Salinas, CA 93901

HSBC NV  
PO Box 98706  
LasVegas, NV 89193

Internal Revenue Service  
Attn: Deborah J. Prutzman  
255 East Avenue  
Rochester, NY 14604-2624

Kaufmanns  
Fifth Smithfield  
Pittsburgh, PA 15219

O'Hara, Henry T.

LFGA Div Citi Financial  
233 N. Michigan Ave  
Chicago, IL 60601

Marriott Ownership  
PO Box 8038  
Lakeland, FL 33802

MBNA America  
PO Box 17054  
Wilmington, DE 19884

MBNA America  
PO Box 15026  
Wilmington, DE 19850-5026

NCO Financial / 22  
507 Prudential Road  
Horsham, PA 19044-2308

NCO Financial / 99  
PO Box 41466  
Philadelphia, PA 19101

NCO Financial Systems  
2020 North Central Ave  
Suite 300  
Phoenix, AR 85004

New York State Commissioner of Taxation  
W A Harriman Campus  
Albany, NY 12227-0125

North American Collectors Inc  
16000 Ventura Blvd Suite 1100  
Encino, CA 91436

Palisades Collection  
PO Box 1244  
Englewood Cliffs, NJ 07632-0244

THD / CBUSA  
PO Box 9714  
Gray, TN 37615